It was alleged to be misbranded (1) in that the statement appearing on its label, "Each Tablet Contains Not Less Than: * * * Vitamin B_2 348 Gammas," was false and misleading since it contained fewer than 348 gammas of vitamin B_2, 230 micrograms (gammas) per tablet; (2) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient; and (3) in that it purported to be a food for special dietary use and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirement for vitamin B_1 and riboflavin (vitamin B_2) supplied by such food when consumed in a specified quantity during a period of 1 day, a statement of the proportion of the minimum daily requirement for calcium, iron, phosphorus, and iodine supplied by such food when consumed in a specified quantity during a period of 1 day, and a statement that the need for calcium pantothenate and vitamin B_6 in human nutrition has not been established.

The article was also alleged to be adulterated and misbranded under the provisions of law applicable to drugs as reported in the notices of judgment on drugs and devices, No. 968.

On November 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5777. Adulteration and misbranding of iron compound and yeast tablets. U. S. v. 4 Drums of Iron Compound and Yeast Tablets. Default decree of condemnation and destruction. (F. D. C. No. 8307. Sample No. 4811–F.)

On September 2, 1942, the United States attorney for the Northern District of Ohio filed a libel against 4 drums, each containing approximately 47,300 iron compound and yeast tablets, at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about February 14, 1942, by the Keith Victor Pharmacal Co., St. Louis, Mo.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that valuable constituents, vitamin B_1 and riboflavin, had been in whole or in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the following statements on its label, "Each tablet contains B_1 (Thiamin Chloride) 50 International Units B_2 (Riboflavin) 25 Gamma," were false as applied to an article that contained not more than 25 International Units of vitamin B_1 per tablet, and not more than 15 gamma of riboflavin.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 967.

On October 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5778. Adulteration and misbranding of The Stuart Formula Tablets. U. S. v. 420 Bottles of The Stuart Formula Tablets. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9878. Sample No. 30573–F.)

Examination showed that this product contained less than 400 U. S. P. units of vitamin D per 3 tablets.

On May 12, 1943, the United States attorney for the Western District of Washington filed a libel against 420 bottles of The Stuart Formula Tablets at Seattle, Wash., alleging that the article had been shipped in interstate commerce, a portion on or about January 28 and February 18, 1943, from Pasadena, Calif., by The Stuart Co., and the remainder on or about April 16, 1943, from Los Angeles, Calif., by the Metropolitan Warehouse Co.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constituent, vitamin D, had been in whole or in part abstracted or omitted therefrom.

It was alleged to be misbranded in that the statements appearing on its label, "Each 3 Tablets Standardized to Contain at Least: * * * Vitamin D . . . 800 U. S. P. or INT. Units (activated ergosterol) (2 times minimum need)," were false; and in that the statement, "Human need known—minimum requirements not yet established," appearing on the label, and as applied to vitamin B_6 and calcium pantothenate, was misleading since it engendered in the minds of the readers that it was the consensus of experts in the field of nutrition that these vitamins were necessary in human nutrition, whereas the need for these vitamins in human nutrition is not generally recognized by these experts as being established. It was alleged to be misbranded further in that it purported to be and was represented as a food for special dietary uses by reason in part of its calcium

pantothenate and vitamin B_6 content, and its label failed to bear such information concerning its vitamin properties as has been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses, since its label failed to bear the statement, "The need for calcium pantothenate and vitamin B_6 in human nutrition has not been established," as required by the regulations.

On June 1, 1943, the William T. Thompson Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling in conformance with the law, under the supervision of the Food and Drug Administration.

5779. Adulteration and misbranding of elixir thiamine hydrochloride. U. S. v. 52 Bottles of Elixir Thiamine Hydrochloride. Decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 9591. Sample No. 23501-F.)

Examination showed that this product contained substantially less than 250 International Units (USP units) of vitamin B_1 per fluid ounce.

On March 19, 1943, the United States attorney for the Eastern District of Pennsylvania filed a libel against 52 bottles, each containing 1 gallon of the above-named product, at Philadelphia, Pa., alleging that the article had been shipped on or about February 2, 1943, from Newark, N. J., by the Standard Drug Co.; and charging that it was adulterated and misbranded. A portion of the article (35 bottles) was labeled in part: "Standard Elixir Vitamin B_1 N. J. F. Elixir Thiamin Hydrochloride. Each fluid ounce contains 500 Intern. Units Vitamin B_1." The remainder of the article (17 bottles) was relabeled by the consignee, and at the commencement of the libel proceedings was labeled in part: "Elixir Thiamin Hydrochloride * * * Each fluid ounce contains: Thiamine Hydrochloride—1.5 mg. (equivalent to Vitamin B-1—500 Units)."

The article was alleged to be adulterated in that a valuable constituent, vitamin B_1, had been in whole or in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the following statements: (In the case of the portion bearing the original label) "Each fluid ounce contains 500 Intern. Units Vitamin B_1," and (in the case of the relabeled portion) "Each Fluid ounce Contains: Thiamine Hydrochloride—1.5 mg. (equivalent to Vitamin B-1—500 Units)," were false since the article contained a lesser amount of vitamin B_1 per fluid ounce. It was alleged to be misbranded further in that it purported to be a food for special dietary use by reason of its vitamin B_1 content, and its label failed to bear such information concerning its vitamin properties as had been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses, since its label failed to bear a statement of the proportion of the minimum daily requirement of vitamin B_1 supplied by a specified quantity of the article when consumed as directed during a period of 1 day.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to drugs, as reported in the notices of judgment on drugs and devices.

On May 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered to be delivered to charitable institutions.

5780. Adulteration and misbranding of Ocean-Lax. U. S. v. 29 Bottles of Ocean-Lax. Decree of condemnation and destruction. (F. D. C. No. 6368. Sample Nos. 40885-E, 40886-E.)

On December 6, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 29 bottles of Ocean-Lax at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about July 3 to August 11, 1941, by Mineralized Foods, Inc., from Baltimore, Md.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that it contained deleterious substances, the laxative drugs, senna pods, purging cassia, and rhubarb root, which might render it injurious to health.

It was alleged to be misbranded in that the following statement, appearing on the label, created the impression that the article was appropriate for food purposes, whereas, because of its content of cathartic drugs, it was not suitable for such purpose "* * * Consists of an imported rare variety of Sea Vegetables high in alakalinity and food minerals carefully blended with * * * Each Ocean-Lax Tablet averages approximately 1½ milligrams of natural organic